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JPW  
PATENT  
YOR919960049BX

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Marie Angelopoulos  
Serial Number : 09/346,353  
Filing Date : July 2, 1999  
Examiner : Tae H. Yoon  
Group Art Unit : 1714  
For : METHODS OF FABRICATING  
PLASTICIZED, ANTIPLASTICIZED AND  
CRYSTALLINE CONDUCTING POLYMERS  
AND PRECURSORS THEREOF

TO: The Honorable Commissioner of Patents  
and Trademarks  
Post Office Box 1450  
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. §1.181**

The undersigned, as Attorney of Record ("Applicants' Attorney"), submits this petition to request that a holding of Abandonment of the above-entitled application be withdrawn. This Petition is submitted as a result of a Notice of Abandonment dated July 23, 2007 sent by the United States Patent and Trademark Office ("USPTO") to Applicants' Attorney; and as a result of the Petition Examiner's Decision dated June 19, 2008 dismissing Applicants' "*Petition to Withdraw the Holding of Abandonment..*" dated November 19, 2007 for failure on the part of Applicants' Attorney to provide a statement which attests to personal knowledge on the part of Applicants' Attorney that the document (amendment) was mailed timely, i.e., June 13, 2007.

As noted above, Applicants submitted a Petition on November 19, 2007 stating, *inter alia*, that they had timely submitted a response to an Official Action in this matter. Also included as exhibits in support of the petition were copies of a postcard and a cancelled check confirming payment of the extension fee.

A Declaration is attached to provide factual support for the withdrawal of the holding of abandonment. The Declaration explicates the facts as to what transpired with respect to this matter. An Official Action dated December 13, 2006 ("the Office Action") in this case was sent from the Examiner to Applicants' Attorney at that time Applicants' Attorney was in the process of moving his office from Connecticut to New York to ultimately Arizona, so he did not physically receive the Office Action until May of 2007. Until his office was set up in Arizona in mid May, he had no access to his files (i.e., file wrappers) nor to any word processing/printing means for preparing the amendment. After the substantial delay noted, the Office Action was received, reviewed, inventors consulted and the Amendment was prepared and transmitted on June 13, 2007. A copy of that amendment was submitted with the petition of November 19, 2007. The canceled check for \$1020.00 in payment of the extension fee of three months was also enclosed in that submission. The Petition Examiner has acknowledged receipt of both the amendment and the check so these items need not be resubmitted with this petition.

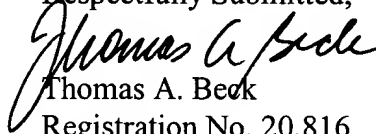
In the attached Declaration, Applicants' Attorney, the undersigned, affirms that he personally and timely filed the amendment responding to the Official Action of December 13, 2006 in this case on June 13, 2007. Applicants' Attorney further certifies and declares in the Declaration that the subject amendment was transmitted timely to the USPTO via the United States Postal Service first class mail, postage prepaid to the Commissioner of Patents on June 13, 2007 and was addressed to Commissioner of Patents & Trademarks, Post Office Box 1450, Alexandria, VA 22313-1450.

Applicants' Attorney has a specific recollection of personally and timely responding to the Official Action because he had to write check to the *Commissioner of Patents* for \$1020.00 to cover the three months extension of time within which to respond. It made an impression on

him, as this was a substantial sum.

In response to requirement 3, set forth in the Petition Examiner's Decision dated June 19, 2008, asserting that a Petitioner (in this case Applicants' Attorney) must provide a statement based upon personal knowledge that the documents were mailed timely, Applicants' Attorney states that pursuant to 37 C.F.R. §1.8(b)(3), he unequivocally states that he personally and timely filed the subject response with the USPTO on June 13, 2007, the date stated on the certificate of mailing in the Amendment. Thus he attests from personal knowledge as to the timely transmittal of the correspondence, (i.e., the Amendment);

Respectfully Submitted,

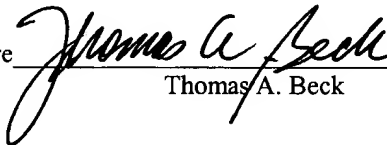


Thomas A. Beck

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I hereby certify that this paper is being transmitted via the United States Postal Service first class mail, postage prepaid to The Commissioner of Patents on the date indicated below and is addressed to Commissioner of Patents & Trademarks, Post Office Box 1450, Alexandria, VA 22313-1450.

Signature



Thomas A. Beck

Date: July 31, 2008



**PATENT**  
**YOR919960049BX**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of	:	Marie Angelopoulos
Serial Number	:	09/346,353
Filing Date	:	July 2, 1999
Examiner	:	Tae H. Yoon
Group Art Unit	:	1714
For	:	METHODS OF FABRICATING PLASTICIZED, ANTIPLASTICIZED AND CRYSTALLINE CONDUCTING POLYMERS AND PRECURSORS THEREOF

TO: Mail Stop Petition  
The Honorable Commissioner of Patents  
and Trademarks  
Post Office Box 1450  
Alexandria, VA 22313-1450

**DECLARATION IN SUPPORT OF A PETITION UNDER 37 C.F.R. §1.181 TO  
WITHDRAW HOLDING OF ABANDONMENT**

The undersigned Declarant, as Attorney of Record, submits this Declaration supporting a petition to request that a holding of Abandonment of the above-entitled application be withdrawn.

Declarant, Thomas A. Beck, declares and states:

1. That he is the Attorney of Record in this application and has full knowledge of the facts in this case as they relate to the prosecution thereof;

2. That an Official Action dated December 13, 2006 ("Official Action"), was sent by the Examiner to Applicant, relating to the instant application;
3. That at the time the Official Action was sent by the Examiner to Applicants, Applicants' Attorney was in the process of moving his office from Connecticut to New York and then finally to Arizona. The time span between when his Connecticut office was closed and when his practice recommenced in Glendale, AZ was the period between December 1, 2006 and May 15, 2007;
4. That, as of December 13, 2006, the date that the Official Action was mailed to Applicants' Attorney, the Applicants' Attorney's office equipment had already been wrapped, bound and situated in storage facilities in Connecticut and New York, so he did not have access to his desktop computer with files, monitor, printer nor his hard copy file wrappers which were in filing cabinets in storage;
5. That prior to his departure from Connecticut, he contacted the New Milford Post Office and filled out a PS Form 3575 (Change of Address Form) to send all his mail to a Mount Vernon, New York address where he resided temporarily and intermittently for three months;
6. That for reason(s) unknown to him, during the time he was there, the Official Action was not received by him at the Mount Vernon address;
7. That he permanently departed New York on March 21, 2007, but prior to that departure, he contacted the Fleetwood Branch of the Mount Vernon, NY Post Office and filled out a PS Form 3575 to send all mail to a post office box address in Redmond, Washington;
8. That concurrently, he also contacted the New Milford, CT Post Office to forward further mail received to the Redmond, WA post office box address;

9. That the agent responsible for the Post Office Box in Redmond , WA, to which his mail was to be forwarded, was advised by him by telephone to hold the mail for pickup as he had no permanent address to which the mail could be forwarded;

10. That he purchased Office Space in Glendale, AZ on April 30, 2007 and received his office equipment from storage there on May 3, 2007 after which he commenced setting up his office for acting on patent prosecution and other legal and business matters;

11. That the agent responsible for the Post Office Box to which his mail was being forwarded in Redmond, WA was advised by him by phone to send all mail being held there as by then he had a permanent address to which the mail could be forwarded;

12. That he received the Official Action in a packet of mail received from the agent in Redmond, WA on May 14, 2007 which was too late for preparing and filing a meritorious response to the USPTO within the two month extension period;

13. That during the period when he did not have access to his office, he did maintain a calendar of official actions received and due dates for response to the Patent Office, so that he would have continuous knowledge of cases that needed action when his office was operational, lest they become abandoned for failure to prosecute;

14. That as is his standard practice when receiving a communication from the USPTO, on May 14, 2007, he entered his docket number and the Serial Number of the application in his "MAY" and "JUNE" calendar dates in the spaces designated "May 14 2007 and June 13, 2007" which are five months and a day\*and six months respectively from the date that the Official Action was issued;

[\* The May 13 due date was a Sunday.]

15. That the May 14<sup>th</sup> entry was his reminder that a response to the Official Action dated December 23, 2006 had been received and was due on that day, and that a final one month extension was due on June 13, 2007. Copies of the calendar sheets showing the reminder entries is attached here as Exhibits A and B respectively;

16. That between the date of receipt of the Official Action on May 14, 2007 and June 13, 2007, he prepared an amendment attempting to comply with and respond to the objections/rejections the Examiner had stated in the Official Action;

17. That he, the Declarant in this Declaration, on personal knowledge, affirms that he personally and timely filed the aforementioned amendment responding to the Official Action of December 13, 2006 on June 13, 2007;

18. That he hereby further certifies and declares that the subject amendment was transmitted to the USPTO via the United States Postal Service first class mail, postage prepaid to the Commissioner of Patents on June 13, 2007 and was addressed to Commissioner of Patents & Trademarks, Post Office Box 1450, Alexandria, VA 22313-1450;

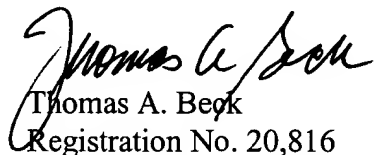
19. That he has a specific recollection of personally and timely responding to the Official Action because he had to write check to the *Commissioner of Patents* for \$1020.00 to cover the three months extension of time within which to respond, and this was a substantial sum;

20. That pursuant to 37 C.F.R. §1.8(b)(3), he states unequivocally that he filed the response with the USPTO and thus he attests from personal knowledge in this Declaration as to the timely transmittal of the correspondence, (i.e., the Amendment);

21. That with the fact pattern stated herein as the predicate for analysis of the instant abandonment, he declares, as supported by Exhibits A and B, that he was aware that an amendment was due; that he did prepare such amendment prior to the date due for response, and that he, himself, did in fact transmit the response timely via the United States Postal Service.

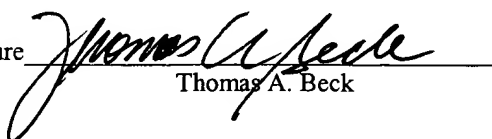
Declarant hereby declares and states that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made are punishable by fine or imprisonment, or both under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully Submitted,



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I hereby certify that this paper is being transmitted via the United States Postal Service first class mail, postage prepaid to The Commissioner of Patents on the date indicated below and is addressed to Commissioner of Patents & Trademarks, Post Office Box 1450, Alexandria, VA 22313-1450.

Signature   
Thomas A. Beck

Date: July 31, 2008



# May 2007

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
		1	2	3 <i>ALLIED DUE</i>	4	5
6	7	8	9	10	11	12
13	14 → 09/344,353 2NDOS 184 217 FILED FOR RESTRICTION REQ 10/6/05, 139 FBI 264	15	16 <i>PRUSHAK APPLN FEE</i>	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		



SUNDAY MONDAY TUESDAY WEDNESDAY THURSDAY FRIDAY SATURDAY

[illegible]

Exhibit B